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8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA  
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11 BOB BEJARANO,

12 Petitioner,

13 vs.

14 LELAND MCEWEN, Acting  
Warden,<sup>1</sup>

15 Respondent.  
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) Case No. CV08-8657-GW (DTB)

) ORDER ACCEPTING FINDINGS,  
) CONCLUSIONS AND  
) RECOMMENDATIONS OF UNITED  
) STATES MAGISTRATE JUDGE  
)

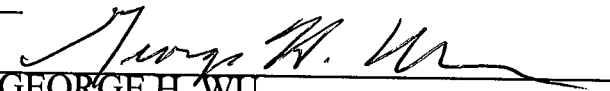
17 Pursuant to 28 U.S.C. § 636, the Court has reviewed the First Amended  
18 Petition, all the records and files herein, and the Report and Recommendation of the  
19 United States Magistrate Judge. Objections to the Report and Recommendation have  
20 been filed herein. Having made a de novo determination of those portions of the  
21 Report and Recommendation to which objections have been made, the Court concurs  
22 with and accepts the findings, conclusions and recommendations of the Magistrate  
23 Judge.

24 IT THEREFORE IS ORDERED that respondent's Motion to Dismiss is denied  
25 as it relates to Grounds One, Two and Five; that respondent's Motion to Dismiss is  
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27 <sup>1</sup> Respondent substituted acting Warden McEwen as respondent for  
28 Warden Clark pursuant to Fed.R.Civ.P. 25(d).

1 granted as it relates to Grounds Four and Six with respect to attorney Irma Castillo  
2 only; that respondent's Motion to Dismiss is granted as it relates to Ground Nine; that  
3 petitioner's Motion to Amend is granted with respect to Grounds One through Eight;  
4 that petitioner's Motion to Amend is denied with respect to Ground Nine, and this  
5 ground is dismissed without leave to amend. The Clerk is directed to file petitioner's  
6 proposed Amended Petition which is attached as Exhibit "A" to the Motion to Amend  
7 as petitioner's Second Amended Petition. Respondent is ordered to file an Answer  
8 to Grounds One through Eight of the Second Amended Petition within 30 days of the  
9 service date of this Order.

10 DATED: June 27, 2012

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12 GEORGE H. WU  
13 UNITED STATES DISTRICT JUDGE  
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